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UNCLAS SECTION 01 OF 06 BRIDGETOWN 000263

SIPDIS

SENSITIVE
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STATE FOR G/TIP, G, INL, DRL, PRM, AND WHA/CAR
STATE PASS TO USAID/LAC/CAR-RILEY

E.O. 12958: N/A

TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [ELAB](#) [SMIG](#) [ASEC](#) [KFRD](#) [PREF](#) [ST](#) [XL](#)
SUBJECT: TIP SUBMISSION - ST. LUCIA

REF: 06 STATE 202745

11. (U) As requested in reftel, below are Post's responses to questions regarding St. Lucia for the annual Trafficking in Persons Report.

Para 27 - Overview

12. (SBU)

1A. Is the country a country of origin, transit, or destination for internationally trafficked men, women, or children?

Although no official numbers are available, St. Lucia does not appear to be a significant country of origin, transit, or destination for internationally trafficked persons. Limited trafficking may exist around the increased sex trade, but there is only limited anecdotal evidence. To date, no government agency or nongovernmental organization has performed an official study or survey of trafficking. Judging from the limited anecdotal evidence, St. Lucia appears to be the destination for the few cases of trafficking that may exist.

1B. Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g., changes in direction).

Evidence of trafficking in St. Lucia continues to be anecdotal and mostly tied to the sex trade. There are also anecdotes of children living away from home who are forced into a sexual relationship with their caregiver with the knowledge of their parents in exchange for "a better way of life." These cases are underreported. Since last year, however, the government organized an anti-trafficking coalition comprising the Gender Relations Division of the Ministry of Social Transformation, Human Services, Family Affairs, Youth, and Sports; the Police Department; Immigration Department, which is part of the national police force; the Ministry of External Affairs, International Finance Services, Information, and Broadcasting; Human Services and Family Affairs Division of the Ministry of Social Transformation, Human Services, Family Affairs, Youth, and Sports; the Family Court; the Upton Gardens Girls Center; the St. Lucia Crisis Center; and Caribbean Association for Feminist Research and Action (CAFRA). The coalition has begun developing a local response protocol in the event a victim is discovered and a questionnaire to assess the extent

of trafficking in St. Lucia. St. Lucia delegates have participated in the Caribbean Regional Meeting on Counter-trafficking Strategies Workshop, the Human Trafficking Investigation Course, and the Direct Assistance Training, all organized by IOM in 2006.

1C. What are limitations on the government's ability to address this problem in practice?

The government has limited resources with which to address trafficking. The lead agency on the issue, the Gender Relations Division, has limited staff and resources at its disposal. The police force also has limited resources to devote to tackling illegal prostitution and potential trafficking. All organizations that are members of the anti-trafficking coalition also suffer from a lack of experience and training in handling these issues.

1D. To what extent does the government monitor its anti-trafficking efforts?

Throughout the year, the government had no mechanism through which it could monitor anti-trafficking efforts, but developed a survey designed to measure trafficking that it was close to launching.

Para 28 - Prevention

13. (SBU)

1A. Does the government acknowledge that trafficking is a problem in the country?

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The government is beginning to recognize that trafficking exists in isolated incidents and has started taking strides to counter it. The government also recognizes that the problem may increase while hosting Cricket World Cup in 2007 and so is striving to implement preemptive measures to help cope with the potential increase in the problem.

1B. Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the lead?

The Gender Relations Division, Police Department, Immigration Department, Ministry of External Affairs, Human Services and Family Affairs Division, and the Family Court are the government agencies involved with anti-trafficking efforts. The Gender Relations Division takes the lead on all trafficking cases, even those, unrelated to gender-based crimes, such as trafficking for labor purposes.

1C. Are there, or have there been government-run anti-trafficking information or education campaigns?

Although there has not been any campaigns targeting trafficking specifically, the government disseminated anti-trafficking materials when running campaigns on similar issues, such as gender-based violence. The government also developed various public service announcements that will run soon.

1D. Does the government support other programs to prevent trafficking?

The government financially sponsors the Upton Gardens Girls Center, a quasi-official home for school-aged girls who are victims of various domestic and social problems or perpetrators of crime. At the home, girls receive both scholastic and life-skills education. Through the Gender Affairs Division, the government also sponsors various outreach programs to support the rights of women. The

government also sponsors universal secondary education.

1E. What is the relationship between government officials, NGOs, other relevant organizations and other elements of civil society on the trafficking issue?

The government created an anti-trafficking coalition that consists of the Gender Relations Division, Police Department, Immigration Department, Ministry of External Affairs, Human Services and Family Affairs Division, the Family Court, the Upton Gardens Girls Center, the St. Lucia Crisis Center, and CAFRA.

1F. Does the government monitor immigration and emigration patterns for evidence of trafficking? Do law enforcement agencies screen for potential trafficking victims along borders?

When researching potential incidents, the government will refer to immigration patterns as evidence. However, there is no preemptive monitoring of emigration patterns with the intent of pinpointing potential trafficking problems.

1G. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force? Does the government have a trafficking in persons working group or a single point of contact? Does the government have a public corruption task force?

The government created an anti-trafficking coalition consisting of various government agencies and NGOs. The government also has a close relationship with the International Organization for Migration.

1H. Does the government have a national plan of action to address trafficking in persons? If so, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the government taken to disseminate the action plan?

The anti-trafficking coalition has created a plan of action, but it is still being developed.

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Para 29 - Investigations and Prosecutions of Traffickers

14. (SBU)

1A. Does the country have a law specifically prohibiting trafficking in person--both for sexual and non-sexual purposes (e.g., forced labor)? If so, please specifically cite the name of the law and its date of enactment. Does the law(s) cover both internal and external (transnational) forms of trafficking? If not, under what other laws can traffickers be prosecuted?

No, traffickers could potentially be charged under laws prohibiting slavery, forced labor, forced imprisonment, kidnapping, or enticement for immoral purposes. No trafficking cases have been prosecuted.

1B. What are the penalties for trafficking people for sexual exploitation?

There are no specific laws against trafficking people for sexual exploitation.

1C. Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for trafficking for labor exploitation, such as forced or bonded labor and involuntary servitude? Do the government's laws provide for criminal

punishment--i.e., jail time--for labor recruiters in labor source countries who engage in recruitment of laborers using knowingly fraudulent or deceptive offers that result in workers being exploited in the destination country? For employers or labor agents in labor destination countries who confiscate workers' passports or travel documents, switch contracts without the worker's consent as a means to keep the worker in a state of service, or withhold payment of salaries as means of keeping the worker in a state of service? If law(s) prescribe criminal punishments for these offenses, what are the actual punishments imposed on persons convicted of these offenses?

The government takes labor offenses, such as confiscation of passports, very seriously. However, the government has only experienced one such case over the last year. In that case, the employer claimed he was holding his employees' passports for safekeeping and returned them at the request of the labor office.

1D. What are the prescribed penalties for rape or forcible sexual assault? How do they compare to the prescribed and imposed penalties for crimes of trafficking for commercial sexual exploitation?

The penalty for rape is 14 years to life imprisonment.

1E. Is prostitution legalized or decriminalized? Specifically, are the activities of the prostitute criminalized? Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized? Are these laws enforced?

Prostitution, as well as pimping, running a brothel, or other related activities, is illegal. The police force does not have the resources to sufficiently enforce these laws.

1F. Has the government prosecuted any cases against traffickers?

The only case of a labor offense mirroring trafficking was resolved through the labor office.

1G. Is there any information or reports of who is behind the trafficking? For example, are the traffickers freelance operators, small crime groups, and/or large international organized crime syndicates?

Because the only evidence of trafficking at this time is anecdotal, there is no information or reports as to who is behind any potential trafficking.

1H. Does the government actively investigate cases of trafficking? (Again, the focus should be on trafficking cases versus migrant smuggling cases.)

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The government does not yet specifically investigate trafficking cases, but has begun to receive training on this. For general investigations, there are no laws prohibiting undercover or covert operations and both are actively utilized. The police force has only recently obtained the equipment for electronic surveillance.

1I. Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

No.

1J. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, can post provide the number of cooperative international investigations on trafficking?

No.

1K. Does the government extradite persons who are charged with trafficking in other countries? If so, can post provide the number of traffickers extradited? Does the government extradite its own nationals charged with such offenses?

N/A

1L. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level?

Although there are no official reports, anecdotal evidence suggests that some police officers support prostitution and pimping activities. There is no evidence at this time whether sex workers protected by police officers are victims of trafficking.

1M. If government officials are involved in trafficking, what steps has the government taken to end such participation? Have any government officials been prosecuted for involvement in trafficking or trafficking-related corruption? Have any been convicted? What sentence(s) was imposed? Please provide specific numbers, if available.

Although there were no reports of government officials involved with trafficking, there was one police officer who was under investigation for involvement with prostitution. At year's end, the officer was still under investigation, but had also retired from the police force.

1N. If the country has an identified child sex tourism problem (as source or destination), how many foreign pedophiles has the government prosecuted or deported/extradited to their country of origin?

There is no evidence of child sex tourism at this time.

1O. Has the government signed, ratified, and/or taken steps to implement the following international instruments? Please provide the date of signature/ratification if appropriate.

a. ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor:

Ratified on June 12, 2000.

b. ILO Convention 29 and 105 on Forced or Compulsory Labor:

Ratified on May 14, 1980.

c. The Optional Protocol to the Convention on the Rights of the Child (CRC) on the Sale of Children, Child Prostitution, and Child Pornography:

Ratified the Convention on June 16, 1993, but has not signed the Protocol.

d. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime:

Signed the Convention on September 26, 2001, but has not ratified the Convention or signed the Protocol.

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Para 30 - Protection and Assistance to Victims

15. (SBU)

1A. Does the government assist victims, for example, by providing temporary to permanent residency status, relief

from deportation, shelter and access to legal, medical and psychological services?

The Gender Relations Division ran the Women's Support Center, a shelter for women who are victims of domestic or social crimes. Although it has not been used for trafficking victims yet, the Gender Relations Division plans on using the shelter for this purpose if any victims are discovered.

1B. Does the government provide funding or other forms of support to foreign or domestic NGOs for services to victims?

Although the government does not provide funding to domestic NGOs specifically to service trafficking victims, it supports the St. Lucia Crisis Center and Upton Gardens Girls Center, both organizations that could assist trafficking victims.

1C. Do the government's law enforcement and social services personnel have a formal system of identifying victims of trafficking among high-risk persons with whom they come in contact?

There is no system of identifying victims or a referral process currently in place. There is a hotline, however, established to help victims of domestic violence that could also respond to victims of trafficking. The anti-trafficking coalition is also currently developing methods through which it hopes to identify victims.

1D. Are the rights of victims respected, or are victims treated as criminals? Are victims detained, jailed, or deported? If detained or jailed, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

There are no known victims, but the anti-trafficking coalition is establishing a protocol through which the rights of victims would be respected.

1E. Does the government encourage victims to assist in the investigation and prosecution of trafficking?

N/A

1F. What kind of protection is the government able to provide for victims and witnesses? Does it provide these protections in practice? What type of shelter or services does the government provide?

The Gender Relations Division ran the Women's Support Center, a shelter for women who are victims of domestic or social crimes. Although it has not been used for trafficking victims yet, the Gender Relations Division plans on using the shelter for this purpose if any victims are discovered. Children could be placed in foster care or in juvenile shelters, such as the Upton Gardens Girls Center.

1G. Does the government provide any specialized training for government officials in recognizing trafficking and in the provision of assistance to trafficked victims, including the special needs of trafficked children?

In developing its survey questionnaire, the government consulted with and provided training to various professionals, such as police, teachers, and nurses. The government also hosted an IOM training session which led to the developing of the response protocol.

1H. Does the government provide assistance, such as medical aid, shelter, or financial help, to its repatriated nationals who are victims of trafficking?

N/A

1I. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities? NOTE: If post reports that a government is

incapable of assisting and protecting TIP victims, then post should explain thoroughly. Funding, personnel, and training constraints should be noted, if applicable. Conversely, the lack of political will to address the problem should be noted as well.

The government has worked with IOM, which has provided training and assisted in developing standards and action plans. Although the government suffers from lack of funding and personnel issues, it does not appear to have a problem with political will.

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